

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re:

HOUTEX BUILDERS, LLC, *et al.*,¹

DEBTORS.

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Case No. 18-34658

Chapter 11

**ORDER GRANTING FIRST INTERIM APPLICATION FOR ALLOWANCE OF
COMPENSATION AND REIMBURSEMENT OF EXPENSES OF DIAMOND
MCCARTHY LLP, AS GENERAL COUNSEL FOR THE DEBTORS FOR
THE PERIOD AUGUST 23, 2018 THROUGH DECEMBER 31, 2018**

(This Order relates to ECF No. 218)

Upon consideration of the First Interim Application for Allowance of Compensation and Reimbursement of Expenses (the “Application”) of Diamond McCarthy LLP (“Diamond McCarthy”), as general counsel to HouTex Builders, LLC, 2203 Looscan Lane, LLC and 415 Shadywood, LLC (each a “Debtor” and collectively the “Debtors”) for the period August 23, 2018 through and including December 31, 2018 (the “Application Period”) and the Court having determined it has jurisdiction to consider the Application and the relief requested therein pursuant to 28 U.S.C. § 1334, 11 U.S.C. §§ 330 and 331, Bankruptcy Rule of Procedure 2016, and Local Bankruptcy Rule 2016-1; and it appearing to the Court that the Application and the relief requested therein is a core proceeding pursuant to 28 U.S.C. § 157(b) and venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing to the Court that due and proper notice of the Application has been given and no other or further notice need be provided; and the record made by Diamond McCarthy during the hearing before the Court on the Application that Diamond

¹ The names of the Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: HOUTEX Builders, LLC (2111); 2203 Looscan Lane, LLC (1418); and 415 Shadywood, LLC (7627).

McCarthy has established the basis for interim allowance of fees and expenses during the Application Period as set out in the Application;

It is hereby ORDERED that the relief requested in Diamond McCarthy's Application is approved on an interim basis in the amount of \$86,833.70 (the "First Interim Award"), consisting of attorney and paralegal fees in the amount of \$76,426.40 (which is half of the \$152,445.50.50 in fees requested in the Application) and out-of-pocket expenses of \$10,407.30.

It is FURTHER ORDERED that the Debtor shall pay to Diamond McCarthy the First Interim Award promptly following entry of this Order.

It is FURTHER ORDERED that the First Interim Award is made without prejudice to Diamond McCarthy's right to argue in a final fee application that fees incurred during the Application Period but not approved in this Order should be awarded.

It is FURTHER ORDERED, that the Court shall retain jurisdiction with respect to all matters relating to the interpretation and implementation of this order.

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It is FURTHER ORDERED, that all objections by CD Homes to the First Interim Application for Allowance of Compensation are reserved and preserved pending further hearings for further interim or final compensation.

DATED: _____, 2019.

THE HONORABLE JEFFERY NORMAN
UNITED STATES BANKRUPTCY JUDGE